

**MINUTES
REGULAR CITY COUNCIL MEETING
CITY OF GREY FOREST, TEXAS
GREY FOREST COMMUNITY CENTER
18249 SHERWOOD TRAIL
HELOTES, TX 78023
March 22, 2022, 6:30 PM**

I. CALL TO ORDER

Mayor Pro Tem Geri Poss called the meeting to order at 6:30 p.m.

II. ROLL CALL

Mayor Pro Tem Geri Poss, Council Member Jennifer Nottingham, Council Member Sean Skaggs, Council Member Susan Darst, and Council Member Kimberly Verity.

Absent: Mayor Charles M. Thornton Jr.

Staff Present: City Attorney Ryan Henry, City Secretary Miguel Cantu, Chief of Police Rene Rodriguez, Deputy Chief Frank Francis, Assistant to the City Secretary Nichole Heinrich, and SGT Scott Ristow

III. PLEDGE OF ALLEGIANCE AND INVOCATION

The meeting commenced with the Pledge of Allegiance.

IV. PRESENTATIONS BY CITIZENS AND VISITORS

Mayor Pro Tem Poss opened the floor for presentations by citizens and visitors. No presentations.

V. ANNOUNCEMENTS / REPORTS / MAYOR AND CITY EMPLOYEES

a) Mayor Announcements

1) Financials

2) City of Grey Forest 60th Anniversary- April 23, 2022

Mayor Pro Tem Poss presented the future financials and February 2022 Check Details. Mayor Pro Tem Poss provided some highlights on the financials including the cost of health inspections for short term rentals were higher than the fee charged by the City to the applicant. It was requested to adjust the fee schedule to defer from having a loss of revenue for health inspections.

b) Council/Staff Announcements: Mayor Pro Tem Poss announced that the City of Grey Forest would be having its 60th Anniversary of Incorporation on April 23, 2022. Activities included the showing of Grease (movie night at the park) and a ceremony with food.

c) Committee Announcements/Reports: None

d) Grey Forest Community Board Update: Council Member Sean Skaggs announced the City of Grey Forest's Easter Egg Hunt was scheduled for April 9, 2022. Council Member Skaggs recognized Mr. Peter Carey for fixing the swing and Mr. John Chafee for working on the Community Center fence. Additionally, it was reported that Mayor Thornton was working with the City Engineer Givler Engineering to get a qualified structural engineer to revamp the playground equipment.

e) Senator Frank L. Madla Natural Area Update: Council Member Nottingham stated the Edwards Aquifer Authority would be having their annual visit on April 1, 2022. The visit is performed every year at the same time to assure the City of Grey Forest is caring for the park accordingly. Council Member Nottingham informed City Council the park typically passes with flying colors.

- f) **Board of Adjustment Update:** City Secretary Miguel Cantu reported the board met on March 7, 2022 and approved a variance for a garage for Mr. Adrian and Kim Verity to allow for a minimum of 5-foot setback to build a carport.
- g) **Police Department Monthly Report:** Chief Rodriguez reviewed the Police Department report for March 2022. He mentioned he had attended a Bexar County Hazard Mitigation meeting along with Deputy Chief Francis.
- h) **Public Works Monthly Report:** None
- i) **Fire Department Monthly Report:** Bexar County Emergency Services District 8 Fire Fighter Devin Salazar provided a report for City Council review.
- j) **Grey Forest Utilities Update:** Mayor Pro Tem Poss reviewed the water report with City Council.

VI. PUBLIC HEARING

- a) None

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:

VII. CONSENT AGENDA

- a) **Approval of Minutes: February 8, 2022 Special Meeting and February 22, 2022 Regular Meeting**

Council Member Verity amended the February 8, 2022 Minutes by striking (strikethrough):
Mr. Cantu reminded City Council the plans were received the day of the City Council Meeting.

Council Member Verity added to the sentence (underlined):

He reminded City Council, city board members, and the public that the Mayor's role is to oversee city personnel and deal with personnel issues.

Council Member Verity amended the February 22, 2022 Minutes by adding (underlined):
Council Member Verity stated that that property owner could not add to the footprint of a home with less than 0.75 acres.

MOTION WAS MADE BY COUNCIL MEMBER VERITY TO AMEND THE MINUTES BY STRIKING AND ADDING TO THE FEBRUARY 8, 2022 SPECIAL MEETING MINUTES AND FEBRUARY 22, 2022 REGULAR MEETING MINUTES (ABOVE). COUNCIL MEMBER DARST SECONDED THE MOTION. COUNCIL VOTED 5-0.

VIII. NEW BUSINESS

- a) **Discuss and take possible action on appointment of Reserve Officer: Jennifer Flores, Kyle Ortiz, Moses Ramirez, and Reynaldo Galindo.**

Deputy Chief Frank Francis presented Ms. Jennifer Flores, Mr. Kyle Ortiz, Mr. Moses Ramirez and Mr. Reynaldo to City Council for approval as City of Grey Forest Reserve Officers.

MOTION WAS MADE BY COUNCIL MEMBER SKAGGS TO APPROVE THE APPOINTMENT OF JENNIFER FLORES, KYLE ORTIZ, MOSES RAMIREZ, AND REYNALDO AS RESERVE OFFICERS. COUNCIL MEMBER DARST SECONDED THE MOTION. COUNCIL VOTED 5-0

- b) **Discussion regarding the appointment of a council person to the Senator Frank L. Madla, Jr. Natural Area Board of Directors pursuant to Ordinance No. 180.**

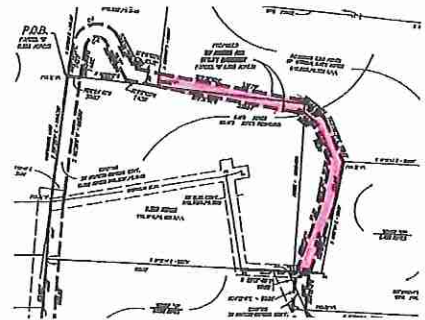
Council Member Nottingham stated that she would no longer be able to serve as the liaison to the Senator Frank L. Madla Jr. Natural Board of Directors; however, the board met and have requested the appointment of Mayor Pro Tem Poss as her replacement.

- c) **Discuss and take possible action on Resolution 2022-20R, a resolution of the City of**

Grey Forest authorizing the Mayor to sign documents necessary to effectuate the City Council's prior release and abandonment of a public access and utility easement previously conveyed to the City of Grey Forest (Bexar County Appraisal District ID: 249307, 249306, 249302, 249303, and 249305).

**For reference only, a snip of the easement has been provided.*

Mayor Pro Tem Poss explained the resolution was required to effectuate the City's prior release and abandonment of a public access and utility easement previously conveyed to the City of Grey Forest. Mayor Pro Tem Poss reminded City Council the easement was released during a meeting (August 24, 2021 Regular Meeting) and this resolution will allow the easement to be transferred by to the original owners by a title company.



MOTION WAS MADE BY COUNCIL MEMBER SKAGGS TO APPROVE A RESOLUTION OF THE CITY OF GREY FOREST AUTHORIZING THE MAYOR TO SIGN DOCUMENTS NECESSARY TO EFFECTUATE THE CITY COUNCIL'S PRIOR RELEASE AND ABANDONMENT OF A PUBLIC ACCESS AND UTILITY EASEMENT PREVIOUSLY CONVEYED TO THE CITY OF GREY FOREST (BEXAR COUNTY APPRAISAL DISTRICT ID: 249307, 249306, 249302, 249303, AND 249305). COUNCIL MEMBER DARST SECONDED THE MOTION. COUNCIL VOTED 5-0.

IX. UNFINISHED BUSINESS

a) Discussion on amending the Subdivision Ordinance regarding the potential change to no less than 5 acres.

Mayor Pro Tem stated that she would like to explain the subdivision ordinance protecting the City of Grey Forest. The ordinance states that if the owner who is selling the property (developer) wishes to subdivide into more than five lots, the property owner(s) must create an impact study which is lengthy and would be approved or denied at the sole discretion of the City Council. The impact study would require the owners to provide impact of the number of vehicles, estimate of the cost of maintenance repair due to wear and tear on streets and bridges, projected increase in air pollution caused by increased traffic, the impact that clearing the land on the natural vegetation will have on erosion and the streams, and impact of storm runoff and contamination; additionally, the impact of septic density failure, through study of water reporting and requirements. Mayor Pro Tem Poss emphasized that the developer would have to present this information to City Council prior to building. Council Member Nottingham asked if all cities require the studies. Attorney Henry responded that not all cities require the impact studies; however, because of the aquifer and the ecosystem, it's very possible to require all the impact studies. Additionally, Attorney Henry stated that the City Council has a good amount of control about what is developed within the City's ETJ, to include the 150 acres. He recommended that City Council not change the ordinance because it does protect the city but stated that the future City Council could change the whole thing. Council Member Darst commented that there were some state regulations that would not have to be approved by the City Council, but the impact studies would be approved by the City Council. Mr. Henry stated that the City Council requires the data to determine the impact on the whole community; therefore, City Council would agree to either approve the subdivision as it is written because the impact would not change the entire community and its nature or change its elements. Council Member Darst provided a scenario stating if a developer provides all the information required and finds the impact low and not violating any massive criteria, can the City Council deny the application? Mayor Pro Tem Poss responded that the ordinance currently reads that this waiver, at its sole discretion, after receipt and due consideration of such impact study, as it pertains to the health, safety or welfare of the City of Grey Forest, the City

Council may approve or deny. So, the City Council's objections can be based on the health, safety or welfare of the City of Grey Forest. Mr. Henry stated that the city would have to have standards as to whether approving or disapproving a request. Council Member Verity highlighted that the City of Grey Forest is unique because most cities rely on ad valorem taxes and would want development, whereas the City of Grey Forest is not seeking more development. Mayor Pro Tem Poss summarized by stating that City Council would like the City Attorney to review the subdivision ordinance and update it. City Attorney Henry stated that there were other changes he would like to make and would make suggestions to the ordinance for City Council to review all at once. He stated he would come back at another date and make those suggestions.

b) Discussion regarding pending City Council topics:

- 1) Website:** Mr. Cantu reported the site map was complete and Revize was moving information from the current website to the new website. Once Revize provide a non-live review of the website, City Council could review the website at that time.
- 2) Road Repair:** Mayor Pro Tem Poss stated Public Works continues to do road repairs throughout the city. Council Member Nottingham suggested in the new budget cycle, the City Council could reinstate the Road Repair Committee to get some repairs started. It was further suggested that the City Secretary to continue to seek out grants for road repairs.

X. EXECUTIVE SESSION

The City Council of the City of Grey Forest convened in Executive Session at 7:30 p.m. in accordance with the Texas Open Meetings Act, Section 551.071 (consultation with legal counsel).

- a) City Council will receive an update from the City Attorney regarding the status of the Scharf v. City of Grey Forest litigation pursuant to Texas Government Code Section 551.071 (consultation with legal counsel).**

The City Council of the City of Grey Forest reconvened in Open Session 8:07 p.m. in accordance with the Texas Open Meetings Act, Section 551.071 (consultation with legal counsel)

NO ACTION TAKEN.

XI. GENERAL ANNOUNCEMENTS & FUTURE AGENDA ITEMS REQUESTED

- a) Council Member Darst requested a tree preservation plan, program, and canopy plan.
- b) Council Member Verity stated she would email her agenda item that would include city aesthetics. Council Member Darst stated that she seconded the email request Council Member would email.
- c) Council Member Nottingham requested the discussion of Airbnb rentals.

XII. ADJOURNMENT

MOTION WAS MADE BY COUNCIL MEMBER NOTTINGHAM TO ADJOURN AT 8:12 P.M. COUNCIL MEMBER DARST SECONDED THE MOTION. COUNCIL VOTED 5-0.

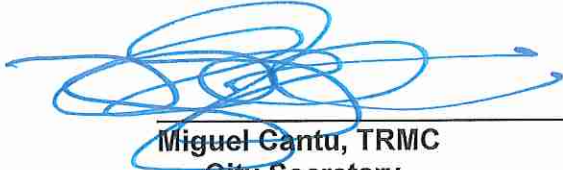
PASSED AND APPROVED THIS 26TH DAY OF APRIL, 2022.

APPROVED:



Charles Mitchell Thornton, Jr.
Mayor

ATTEST:


Miguel Cantu, TRMC
City Secretary